

### **REMARKS**

Applicants cancel claims 1-9 such that claims 10-19 remain pending in this application. Applicants respectfully request allowance of all the pending claims.

#### **Election/Restriction**

The Examiner has identified in the application two groups of claims as follows: Group I (claims 1-9) drawn to a motorcycle frame and Group II (claims 10-19) drawn to an engine mount assembly for a motorcycle. In response to the restriction requirement, Applicants elect to prosecute Group II (claims 10-19) with traverse, and respectfully request reconsideration of the restriction requirement.

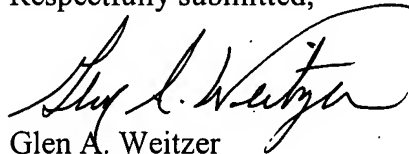
Two criteria must be met for a proper restriction requirement: (1) the inventions must be patentably independent or distinct as claimed, and (2) there must be a serious burden on the Examiner if restriction is required. See *Manual of Patent Examining Procedure*, § 803.

Even if the two disclosed subjects are independent and distinct (and Applicants submit that they are not), in order for a proper restriction, there must also be a serious burden on the patent examiner if the restriction is required (*M.P.E.P.* § 803). If the search and examination can be completed without a serious burden, the Examiner must evaluate the merits regardless of whether or not two or more independent or distinct subjects are disclosed. Applicants respectfully submit that a serious burden is not placed on the Examiner in searching and examining the claims of Groups I and II together.

Accordingly, Applicants respectfully submit that Groups I and II in the present application can and should be examined together. Particularly in light of the fact that such an examination would not present a serious burden to the Examiner and any restriction would unnecessarily prejudice the Applicants. Applicants hereby request withdrawal of the restriction requirement of Groups I and II.

The Examiner is invited to contact the undersigned attorney should the Examiner determine that such action would facilitate the prosecution and allowance of the present application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Glen A. Weitzer". The signature is fluid and cursive, with a large, sweeping initial "G".

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